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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
9/23/21 2:26 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re: : Case No.: 19-24544-GLT
Andrea Watson-Lindsey : Chapter: 13
Andrea Watson-Lindsey :
: Date: 9/22/2021
Debtor(s). : Time: 09:00

PROCEEDING MEMO

MATTER: # 83 Motion for Relief from Stay 2538 Allequippa Street, Pittsburgh, PA 15213
filed by Community Loan Servicing, LLC f/k/a Bayview Loan Servicing LLC

86 - Response filed by the ch.13 trustee

APPEARANCES:

Debtor: Lawrence W. Willis
Trustee: Owen Katz
Bayview: Maria Miksich

NOTES:

Court: Do not wish to grant relief from stay because substantial equity exists. The Court prefers conversion over stay relief. This centers on the question of the absolute right to dismiss.

Willis: We are asking for a dismissal without prejudice. The failed sale of real property for \$60,000 was due to the buyer pulling out after an inspection and subsequently making a lower offer of \$30,000. From our research and consultation from a realtor, we believe the appropriate price range for the property should be between \$60,000 and 100,000. Moreover, Debtor contracted COVID twice and has been forced into retirement, which cuts against the argument for finding bad faith.

Miksich: No position on conversion or dismissal

Katz: We agree that conversion is appropriate; equity, though substantial, is being lost due to lack of payments
-Voluntary dismissal should be with prejudice for a 180 day bar due to the pending Motion for Relief from Stay.

Court: I will set a hearing on trustee's oral motion to convert this case.

OUTCOME:

1. The *Motion for Relief from Stay* [Dkt. No. 83] is CONTINUED to October 20, 2021. [Text Order to Issue]
2. The Trustee's oral motion to convert shall be scheduled for hearing on October 20, 2021 at 9 am. [HT to issue]

DATED: 9/22/2021